Adult Foster Care Information Sheet

SECTION 1 – INTRODUCTION

This fire safety information sheet is based on the 2003 Minnesota State Fire Code (MSFC), the 2003 Minnesota State Building Code (MSBC) and the 2000 International Residential Code (IRC). It contains a summary of the major rules that apply to adult foster care occurring in one and two family residential buildings.

Underlined portions reflect changes from the previous MUFC to the new 2003 Minnesota State Fire Code. The requirements outlined in this information sheet apply to adult foster care as defined below:*  

**Adult Foster Care (AFC) Home** means a residence operated by an operator who, for financial gain or otherwise, provides 24 hour foster care to no more than four functionally impaired residents [Minn. Rules § 9555.5105].

[*NOTE: Because of changes to Minnesota Statutes, section 245A.11, subd. 2b over the past several years, providers are allowed to conduct an adult family day care program under their adult foster care license. For more information on these types of occupancies, see Section 12.]  

A foster care provider may be required to meet other requirements that are not listed in this publication. This information sheet provides an overview of the major code requirements that apply in this type of occupancy and does not attempt to cover every situation. References to the applicable code sections are found in brackets, [].

Prospective foster care operators must contact the foster care licensing agency (county or state) for a site inspection prior to requesting a fire inspection.

More information is available from the Minnesota State Fire Marshal Division at (651) 215-0500. Email questions to firecode@state.mn.us or check our web page at www.fire.state.mn.us for the latest information on fire in Minnesota.

SECTION 2 — NUMBER, TYPE AND ACCESS TO EXITS

2.1 Number and type of exits

Every room shall have access to at least one exit. This exit usually takes the form of the interior halls, stairs and doors found within the building. [MSFC (03), Section 1005.2.2]
Every room used for sleeping shall have at least one approved emergency escape (second means of egress) that is separate from the main exit from the space. [MSFC (03), Section 1009.1, as amended]

In addition, each basement used as a living area for foster care shall have at least one approved emergency escape that is separate from the main exit from the space. Living areas shall include living rooms, dens, family rooms, recreation and/or exercise rooms, libraries and dining rooms. Bathrooms, kitchens, storage or utility spaces, laundry areas, garages and workshops shall not be considered living areas.

These requirements apply to both new and existing buildings [MSFC (03), Section 1009.1, as amended]. Any one of the following four options will satisfy the requirement for an emergency escape from a room [MSFC (03) Section 1009.1, as amended]:

1. The space is provided with an egress window complying with MSFC (03) Section 1009.1, as amended. Because this is the most common type of emergency escape, additional information on egress windows is provided in the next section of this fact sheet.
2. An automatic sprinkler system is protecting the building (NFPA 13D systems are acceptable for one and two family homes).
3. The room has a door leading directly to the exterior of the building.
4. There is a second separate means of escape. The second means of escape may be through an adjacent non-lockable space, independent of and remote from the primary exit. The adjacent non-lockable space must be provided with a code complying exit or egress window. The second means of escape shall not be through a furnace room or through a space/area that could become blocked by a malfunctioning furnace or water heater. The second means of escape must also be sufficiently separated from the primary means of escape such that a single fire will not block both routes [MSFC (2003) Section 1009.1, Exception 4, as amended]. Travel through an attached garage may be permitted as a second separate means of escape if there is no distinct hazard and all of the following conditions are met:
   - The primary exit leads directly outside through a side-hinged, swinging door complying with the MSBC (03).
   - Unobstructed access with an aisle at least 36 in. in clear width is provided from the dwelling door to the garage service door.
   - The attached garage is fire-separated from the dwelling as required by the MSFC (03). See Section 7.1 of this information sheet for occupancy separations.
   - Where appropriate, all unacceptable hazards must be stored in a location remote from the exit path or must be in an approved storage cabinet. Unacceptable hazards commonly include gasoline, kerosene, fuel oil, LP gas, paint thinners, charcoal lighter materials and hazardous electrical wiring or appurtenances.
   - A side-hinged, swinging door to the exterior is provided.

Sliding glass doors may be accepted as qualifying exit doors provided that the doors are maintained operational at all times [MSFC (2003) Section 1003.3.1.2].
2.2 Access to doors and windows
Exit doors from individual dwelling units may be provided with a night latch, dead bolt or security chain provided that such devices are openable from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches above the finished floor [MSFC (03) Section 1003.3.1.8, as amended].

All locking devices shall be of an approved type.

2.3 Manufactured homes
For exterior door requirements for manufactured homes, see Section 10.

SECTION 3 — APPROVED EGRESS WINDOWS

3.1 Types of approved escape windows
Approved egress/escape windows include the following [MSFC (2003) Section 1009.1, as amended]:
- Double hung windows;
- Sliding windows; or
- Casement windows.

Easily removable sashes for existing construction may be acceptable in foster care occupancies if demonstrated to be openable by the resident or occupant with approximately 60 seconds. The sashes and/or hardware of the above windows, along with their storms or screens, shall be easily removable and provide the clear opening requirements based on the date of construction for the building. Sashes that tip out only and can not be removed from the frame and awning style windows do not meet this requirement.

3.2 Minimum size
When used as a second means of egress, windows shall comply with the following minimum size requirements (only a single window in each room need meet these size requirements):

For escape windows installed prior to April 11, 1983:
- A minimum of 20 inches in width
- A minimum of 24 inches in height
- A minimum of 720 square inches (5.0 square feet) of clear opening
- A maximum of 48 inches from the floor to the sill opening

For escape windows installed above or below ground level on or after April 11, 1983:
- A minimum of 20 inches in width
- A minimum of 24 inches in height
- A minimum of 820 square inches (5.7 square feet) of clear opening
- A maximum of 44 inches from the floor to the sill opening

For ground level egress/escape windows installed on or after April 11, 1983:
- A minimum of 20 inches in width
- A minimum of 24 inches in height
- A minimum of 720 square inches (5.0 square feet) of clear opening
- A maximum of 44 inches from the floor to the sill opening
See the attached diagrams for additional description of acceptable egress windows and a worksheet for determining compliance with the requirements of the MSFC (2003).

### 3.3 Special situations
For unique situations, please see the State Fire Marshal Division policy INS-26 titled, *Egress Windows (Emergency Escapes)* for information on how to treat situations that do not fit the conditions outlined here.

### 3.4 Manufactured homes
For escape window requirements for manufactured homes, see Section 10.

#### SECTION 4 — WINDOW WELLS

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with MSFC (2003) Section 1009.5. See the attached diagrams for additional description of acceptable egress window wells and a worksheet for determining compliance with the requirements of the MSFC (2003).

#### 4.1 Window well size
**For window wells installed prior to June 29, 1998:**

The State Fire Marshal will accept existing window well dimensions that are at least as wide as the window. The distance the window well extends away from the building shall be at least 22 inches. In all cases, the window well shall allow the opening of the window to the full 90 degrees. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well.

**For window wells installed on or after June 29, 1998:**

The window well shall have clear horizontal dimensions that allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet with minimum dimensions of 36 inches. Any window opening into the window well shall open to one side and may not intrude into the window well clear opening by more than 6 inches. In addition, a minimum of 30 inches shall be provided between the window in its open position and the opposite well wall. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder shall not encroach more than 6 inches into the 36-inch clear open space. The ladder is also not allowed to encroach into the 30 inches between the open window and the opposite wall. Please see MSFC (03) Section 1009.5 for additional window well requirements for new construction.
4.2 Obstructions/coverings
Emergency escape or rescue windows, doors or window wells required for foster care shall be maintained free of any obstruction, including bars, grates or similar devices that would impair egress [MSFC (2003) Sections 1009.1.1, as amended, 1011.3 and 1011.4]. However, bars, grills, grates or similar devices installed in accordance with MSFC(2003) Section 1009.4 are allowed, provided that the release mechanisms are maintained operable. Window wells may be covered as necessary to keep the window well clear of debris, snow, and rain water and to help prevent people from falling in if the building owner wishes. However, the cover shall comply with the following requirements:

a. The covering shall not interfere with the opening of the window in any way.
b. The covering shall be supported in such a way that it can not become frozen to the ground, window well or structure.
c. The covering shall be readily removable without the use of tools or special knowledge from the window well area by the building occupants.

SECTION 5 — GUARDS AND STAIRS

5.1 Guards – New buildings (constructed after March 31, 2003)
Unguarded floor openings, open and glazed sides of stairways, landings and ramps and balconies or porches that are more than 30 inches above grade or the floor below shall be protected by guardrails in accordance with the MSBC [MSFC (2003) Section 1003.2.12 and MSBC (2003) Section 1003.2.12]. The top of the guard for a one and two family dwellings may be constructed not less than 36 inches (914 mm) in height. The guards shall have balusters or ornamental patterns such that a 4-inch diameter (102 mm) sphere cannot pass through any opening up to a height of 34 inches. From 34-36 inches, a sphere 8-inch in diameter (203 mm) shall not pass.

Guards – Existing (constructed before March 31, 2003)
Guards shall be provided at the open sides of means of egress that are more than 30 inches (762 mm) above the floor or grade below. The guards shall form a protective barrier not less than 36 inches high. Existing guards on the open side of stairs shall be not less than 30 inches (760 mm) high. Open guards shall have balusters or ornamental patterns such that a 6-inch diameter (152 mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm). Existing open guards may be acceptable if approved by the code official [MSFC (03) Section 1010.6.2].

5.2 Stairways – New buildings (constructed after March 31, 2003)
Stairways shall not be less than 36 inches (914 mm) wide. The maximum riser height shall be 8 inches (203 mm) and the minimum tread depth shall be 9 inches (229 mm). The riser heights shall be measured vertically between leading edges of the adjacent treads. The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread’s leading edge. For additional information on spiral stairs or circular stairways, please review IRC Section R314, as amended.

Stairways – Existing (constructed before March 31, 2003)
Existing stairs in buildings shall be permitted to remain if the rise does not exceed 8 ¼ inches (210 mm) and the run is not less than 9 inches (229 mm). Existing stairs can be
rebuilt. Existing stairs may be acceptable if approved by the code official [MSFC (03) Section 1010.10].

5.3 Handrails – New buildings (constructed after March 31, 2003)
Stairways shall have a handrail on at least one side. Handrails shall not project more than 4.5 inches (114 mm) on either side of the stairway. Handrails shall have a minimum and maximum height of 34 inches and 38 inches (864 mm and 965 mm), respectively. All required handrails shall be continuous running the full length of the stairs with two or more risers from a point directly above the top riser of a flight to a point directly above the lowest riser of the flight. Ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than 1.5 inches (38 mm) between the wall and the handrail [IRC (00) Section R315].

Handrails – Existing (constructed before March 31, 2003)
Stairways shall have handrails on at least one side. Handrails shall be located so that all portions of the stairway width required for egress capacity are within 44 inches (1118 mm) of a handrail. The height of these handrails, measured above stair tread nosings, shall be uniform, not less than 30 inches (762 mm) and not more than 42 inches (1067 mm).

5.4 Storage under stairways
Storage under stairways is permitted in one and two family dwellings; for details, see the State Fire Marshal Division Policy INS-31 titled, Storage Under Stairs.

SECTION 6 — SPECIAL REQUIREMENTS

6.1 Premises identification
Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. The premises identification numbers shall contrast with their background. In rural areas, the use of fire numbers is acceptable [MSFC (2003) Section 505.1].

6.2 Storage of combustible materials
Storage shall be orderly [MSFC (2003) Section 315.2].

Fueled equipment (motorcycles, lawnmowers, etc.) shall not be stored, operated or repaired within the residence [MSFC (2003) Section 315.2.5].

6.3 Combustible Waste Material
Combustible waste material creating a fire hazard shall not be allowed to accumulate in buildings [MSFC (03) Section 304.1].

Weeds, grass, vines, or other growth that is capable of being ignited and endangers property shall be cut down and removed [MSFC (03) Section 304.1.2].

SECTION 7 — FIRE RESISTIVE CONSTRUCTION AND INTERIOR FINISH
7.1 Occupancy separation
When an adult foster care home is located in a dwelling with an attached garage, a separation wall between the dwelling and garage is required to prevent the spread of smoke and fire from the garage into the home. The separation must extend from floor to ceiling and must be constructed in accordance with the following [IRC Section R309]:

- A single layer of 1/2” gypsum wall board applied on the garage side for both new and existing construction.

Door openings must meet one of the following requirements:

- solid-wood door at least 1-3/8 inches in thickness, or
- insulated steel door at least 1-3/8 inches in thickness, or
- labeled door having a fire-protection rating of not less than 20 minutes.

7.2 Fire-resistive construction
Fire-resistive construction, including occupancy separations, area separation walls, exterior walls due to location on property, fire-resistive requirements based on type of construction, draft-stop partitions and roof coverings may be required in some occupancies. When required, they shall be maintained as specified in the MSFC (03) and MSBC (03) and shall be properly repaired, restored or replaced when damaged, altered, breached, penetrated, removed or improperly installed [MSFC (03) Section 703.1, as amended]. In general, the only fire-resistive construction in most one and two family dwellings involves the garage separation as described in Section 7.1.

7.3 Interior finish in one and two family dwellings
Interior finish on walls and ceilings shall be Class A, B or C (Class I, II, or III) [MSFC (03) Sections 801.1.1, as amended, and 806.3].

SECTION 8 — DETECTION SYSTEMS IN ONE AND TWO FAMILY DWELLINGS (GROUP R-3 OCCUPANCIES)

Experience and full scale testing has shown that typical residential fires produce detectable quantities of smoke prior to detectable levels of heat in nearly all cases. In addition, slowly developing, smoldering fires may produce incapacitating and even lethal levels of smoke and toxic gases without any significant increase in room temperature. The State Fire Marshal will not accept heat detectors as an alternative or equal to smoke detectors in locations requiring the installations of smoke detectors.

8.1 Location

Smoke Detectors in foster care homes built prior to June 29, 1998:
Smoke detectors shall be installed in hallways or areas giving access to each separate sleeping area. Where sleeping rooms are on an upper level only, the detector shall be placed at the center of the ceiling directly above the stairway. Smoke detectors shall also be installed in the basement of dwelling units having a stairway, which opens from the basement into the dwelling unit [MUFC (98) Section 907.2.10].

In homes built on or after June 29, 1998:
A smoke detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. A smoke alarm shall be installed in each story within a dwelling unit, including basements and cellars, but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level [MSFC (03) Section 907.2.10.1.2].

**IMPORTANT NOTE:** Existing dwelling units not already provided with single or multiple station smoke alarms shall be provided with approved single or multiple station smoke alarms installed and maintained in accordance with MSFC (03) Section 907.2.10 meeting the requirements for new construction [MSFC (03) Section 907.3.6, as amended].

### 8.2 Power supply

**In homes constructed prior to August 1, 1989:** Detectors can receive their primary power from battery supply. When new bedrooms are created in homes built prior to August 1, 1989, the detector in the bedroom is allowed to be battery-operated [MSFC (03) Section 907.3.6, as amended].

**In homes constructed on or after August 1, 1989 and before June 29, 1998:** Smoke detectors shall receive their primary power supply from a centralized power source. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. When new bedrooms are created, the detector in the new bedroom shall receive its primary power supply from a centralized power source and be equipped with a battery backup.

**In homes constructed on or after June 29, 1998:** Smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup. Wiring shall be permanent and without disconnecting switch other than those required for over-current protection [MSFC (03) Section 907.2.10.2]. When new bedrooms are created, the detector in the new bedroom shall receive its primary power from the building wiring when such wiring is served from a commercial source and shall be equipped with a battery backup [Minn. Stat. § 299F.362, subd. 3a].

### 8.3 Installation (applies to all foster care homes)

Detector location and spacing shall be as follows, in addition to the manufacturer’s instructions [NFPA 72 (1999 Edition) Section 2-3.4]:

a. Smoke detectors in rooms with ceiling slopes greater than 1-foot rise per 8 feet horizontally shall be located at the high side of the room.
b. A smoke detector installed in a stairwell shall be so located as to ensure that smoke rising in the stairwell cannot be prevented from reaching the detector by an intervening door or obstruction.

c. A smoke detector installed to detect a fire in the basement shall be located in close proximity to the stairway leading to the floor above.

d. Smoke detectors shall be mounted on the ceiling at least 4 inches from a wall or on a wall with the top of the detector not less than 4 inches or more than 12 inches, below the ceiling.

e. Smoke detectors shall not be located within kitchens, garages, or in other spaces where temperatures can fall below 32 °F, or exceed 100 °F.

f. Smoke detectors shall not be located within 3 feet of supply registers of a forced air heating or cooling system and doors to a kitchen or bathroom with tub or shower.

g. For peaked ceilings, the smoke detector must be installed within 3 feet of the peak.

UL or FM (Factory Mutual) listed and approved fire-alarm systems both hardwired and wireless are also acceptable. Detectors with a battery shall emit a signal when the battery is low.

SECTION 9 — HEATING AND ELECTRICAL EQUIPMENT

9.1 Heating appliances

Permanent and portable unvented fuel-fired heaters shall not be installed or used in single family dwellings (MSFC Section 603.5.2 and State Mechanical Code Section 901.5, as amended).

Furnaces, water heaters, and other fixed heating equipment shall be installed in accordance with their listing and the MSBC (03) and the Mechanical Code. All heating appliances installed in garages shall be at least 18 inches above the floor in accordance with the MSFC (03) and the Mechanical Code [MSFC (03) Section 603.5].

9.2 Electrical services

Electrical hazards shall be corrected according to MSFC (03) Section 605.1.

Multiplug adapters, such as multiplug extension cords, cube adapters, strip plugs and other devices shall comply with the MSFC (03) and the Electrical Code [MSFC (03) Section 605.4].

Receptacles and outlets serviced by extension cord-type wiring are prohibited [MSFC (03) Section 605.5]

Power taps are permitted when polarized or grounded and protected with listed overcurrent protection [MSFC (03) Section 605.4.1].

Extension cords and flexible cords shall not be used as a substitute for permanent wiring [MSFC (03) Section 605.5].
SECTION 10 – SPECIAL PROVISIONS FOR FOSTER CARE FACILITIES LOCATED IN MANUFACTURED (MOBILE) HOMES

10.1 General information
This information applies only to manufactured (mobile) homes with fixed running gear. Factory built homes that are set on a foundation and do not have fixed running gear shall meet the requirements of the MSFC and MSBC applicable at the time of construction for one and two family dwellings. See the State Fire Marshal Division (SFMD) fact sheet INS-FACT -01 titled, *One and two family dwellings* for these types of buildings that fall under the 2000 International Residential Code.

Federal standards §3280.105, §3280.106 and §3280.404 cover emergency escapes (second means of egress) for these homes. This section outlines the requirements, although the actual standards should be referenced for full details.

10.2 Number and location of exterior doors
a. Manufactured homes shall have a minimum of two exterior doors located remote from each other.
b. Required egress doors shall not be located in rooms where a lockable interior door must be used in order to exit
c. In order for exit doors to be considered remote from each other, they must comply with all of the following (i. through iv.):
   i. Both of the required doors must not be in the same room or in a group of rooms which are not defined by fixed walls
   ii. Single wide units. Doors may not be less than 12 feet center to center from each other as measured in any straight line direction regardless of the length of path of travel between doors.
   iii. Double wide units. Doors may not be less than 20 feet center to center from each other as measured in any straight line direction regardless of the length of path of travel between doors.
   iv. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet.
d. All exterior swinging doors shall provide a minimum 28 inch wide by 74 inch high clear opening. All exterior sliding glass doors shall provide a minimum 28 inch by 72 inch high clear opening.

10.3 Egress/escape windows within manufactured (mobile) homes
Every room designed expressly for sleeping purposes within manufactured (mobile) homes, unless it has an exit door, shall have at least one outside window or approved exit device. Construction of the egress window shall be as follows:

Homes built on or after July 1, 1972 and before July 15, 1976.

Escape windows must have a minimum clear opening of not less than 22 inches in least dimension and 5 square feet in area. The bottom of the opening shall be not more than 4 feet above the floor [ANSI A119.1].
Homes built on or after July 15, 1976.

Clear opening width of not less than 20 inches and 24 inches in height and 5 square feet in area. The bottom of the opening shall be not more than 36 inches above the floor. Locks, latches, operating handles, tabs and other devices which need to be operated in order to permit exiting shall not be located in excess of 54 inches from the finished floor [HUD Standards].

When basements are installed under these homes, the basement shall meet the applicable requirements of the MSFC (03) and MSBC (03) based on the date of construction. Manufactured (mobile) homes set on basements (running gear removed or remaining), shall have exiting (doors, windows etc.) installed according to the Federal ANSI or HUD standard under which it was built.

10.4 Access to doors and windows
Exit doors from individual dwelling units may be provided with a night latch, dead bolt or security chain provided that such devices are openable from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches above the finished floor [MSFC (2003) Section 1003.3.1.8, as amended].

All locking devices shall be of an approved type.

10.5 Obstructions
Emergency escape or rescue windows, doors or window wells shall be maintained free of any obstruction, including bars, grates or similar devices that would impair egress [MSFC (03) Section 1009.1.1, as amended]. However, bars, grills, grates or similar devices installed in accordance with MSFC(2003) Section 1009.4 are allowed, provided that the release mechanisms are maintained operable.

SECTION – 11 DETECTION SYSTEMS IN MANUFACTURED (MOBILE) HOMES

At least one smoke detector (which may be a single station alarm device) shall be installed in the manufactured home in the location(s) specified below [MSFC (03) Section 907.2.10].

11.1 Housing and Urban Development Code of Federal Regulations (CFR) Revised Smoke Alarm Requirements for Manufactured Homes (Effective September 16, 2002)

HUD CFR 3280, ‘Manufactured Home Construction and Safety Standards’, are the standards that manufactured homes are constructed to in the United States.

Effective September 16, 2002, the Department of Housing and Urban Development (HUD) revised their smoke detector requirements within manufactured homes. When a mobile home is installed in a municipality’s jurisdiction and show a date of manufacture of 9/16/02 or newer on the data plate the home must comply with the amended smoke alarm requirements. Data plates are required on all HUD homes as per CFR 3280.5 and must indicate the date of manufacture on the data plate.

11.1.1 New manufactured (mobile) homes
The changes to the HUD smoke alarm rules are as follows:

- **Section 3280.208 (b)(1)(i)**, requires at least one smoke alarm to protect the living and kitchen areas, whether the areas are separate or combined. If a smoke alarm is installed within 20 feet of a cooking appliance, the rule requires either the smoke alarm include a temporary silencing feature (hush button) or that the smoke alarm be of a photo-electric type. Whenever possible, the alarm should be located in the living area remote from the kitchen and cooking appliance.

- **Section 3280.208 (b)(1)(ii)**, manufacturers are to install a smoke alarm in each room “designed for sleeping”.

- **Section 3280.208 (b)(1)(iii)**, permits, exclusive of basements, the required stairway smoke alarms in multistory homes to be installed on the ceiling near the top of the stairway, or above the stairway, for field installation and interconnection of the required smoke alarms.

- **Section 3280.208 (b)(2)**, requires each manufacturer to provide, but not necessarily to install, a smoke alarm for every home designed to be placed over a basement. The manufacturer must install an electrical junction box that accommodates the installation and interconnection of the basement smoke alarm. The instructions and information provided by the manufacturer for the installer and homeowner must make it clear that the smoke alarm is to be installed on the basement ceiling near the stairway.

- **Section 3280.208 (c)(1,2,3)**, permits manufacturers to mount smoke alarms on ceilings, except in rooms with peaked sloping or shed sloping ceilings of more than 1.5/12, smoke alarms must be mounted on the ceiling within 3 feet, measured horizontally, of the high side of the ceiling, and not closer than 4 inches from any adjoining wall surface and from any projecting structural element.

- **Section 3280.208 (d)(1)(i&ii)**, requires each smoke alarm to be powered by the home’s electrical system and be provided with a battery back-up, or, alternatively, to be powered by a battery with a 10-year life.

- **Section 3280.208 (d)(2)**, clarifies that more than one smoke alarm may be placed on the same electrical circuit.

- **Section 3280.208 (d)(3)**, requires that mandated smoke alarms be interconnected so that operation of any one alarm activates all other required alarms in the manufactured home.

### 11.1.2 Smoke detector location (For mobile homes constructed prior to September 16, 2002)

a. A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door(s) separates the living area from that bedroom area, in which case the detector(s) shall be installed on the living area side as close to the door(s) as practicable. Homes having bedroom areas separated by any one or combination of the common-use areas such as kitchen, dining room, living room, or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.

b. When located in hallways, the detector shall be between the return air intake and the living area.

c. A smoke detector shall not be placed in a location that impairs its effectiveness.
d. Smoke detectors shall be listed and approved for their use and location.

11.1.3 Power supply
The required detector(s) shall be attached to an electrical box and the detector connected by a permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the over current protection device protecting the branch circuit and the detector. Smoke detector(s) shall not be placed on the same branch circuit or any circuit protected by a ground fault circuit interrupter.

11.1.4 Installation
Each smoke detector shall be installed in accordance with its listing. The top of the detector shall be located on a wall 4 inches to 12 inches, or a distance permitted by the listing, below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located 4 inches to 12 inches below the intersection of the connecting exterior wall and the sloping ceiling (cathedral ceiling). When basements are installed under these homes, the basement shall meet the applicable requirements of the MSFC (03) and MSBC (03) based on the date of construction. Manufactured (mobile) homes set on basements (running gear removed or remaining), shall have smoke detectors installed according to the Federal ANSI or HUD standard under which it was built.

SECTION 12 – FOSTER CARE HOMES USED FOR FAMILY ADULT DAY CARE

State law now allows providers to conduct an adult family day care program under their adult foster care license. Minnesota Statutes, section 245A.11, subd. 2b states:

“An adult foster care license holder licensed under the conditions in subdivision 2a may also provide family adult day care for adults age 55 or over if no persons in the adult foster or adult family day care program have a serious and persistent mental illness or a developmental disability. The maximum combined capacity for adult foster care and family adult day care is five adults, except that the commissioner may grant a variance for a family adult day care provider to admit up to seven individuals for day care services and one individual for respite care services, if all of the following requirements are met: (1) the variance complies with section 245A.04, subdivision 9; (2) a second caregiver is present whenever six or more clients are being served; and (3) the variance is recommended by the county social service agency in the county where the provider is located. A separate license is not required to provide family adult day care under this subdivision. Adult foster care homes providing services to five adults under this section shall not be subject to licensure by the commissioner of health under the provisions of chapter 144, 144A, 157, or any other law requiring facility licensure by the commissioner of health.”

Family adult day care is not specifically defined in the MSFC. It does not fall under the definition of “adult day care center” found in MSFC(03), Section 202, as amended by M.R. 7510.3530, subp. 1, because these facilities are licensed under the DHS adult foster care rules instead of the adult day care rules found in M.R. 9555.9730. What follows, therefore, is basic information on the classification of these occupancies.
Since the statute allows both adult foster care and family adult day care in the same building, the use involving the higher number of clients is what determines the occupancy classification of facilities licensed under M.S. 245A.11, subd. 2b as follows:

12.1 Family adult day care
Facilities providing custodial care for less than 24 hours per day by individuals other than parents or legal guardians, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for are classified as **I-4 Occupancies.** Facilities such as the above with five (5) or fewer clients are classified as **R-3 Occupancies.**

12.1.1 Alternate method of compliance
Under the authority granted in MSFC(03), Section 104.8, the State Fire Marshal has classified family adult day care programs licensed for up to eight (8) clients as **R-3 Occupancies**, provided all of the following conditions are met:
1. The program is conducted in an owner-occupied residence;
2. Overnight sleeping accommodations are provided for not more than five (5) clients;
3. All care is provided on a floor level with all exits directly to grade without any intervening stairs;
4. The building is protected with automatic smoke detectors installed in conformance with the new construction requirements of MSFC(03) Section 907.2.10; and
5. Any time six (6) or more clients are present:
   a. At least 50 percent of the clients present shall be capable of responding to an emergency without assistance from staff,
   b. A second caregiver must be present, and
   c. The provider must be able to demonstrate that all the clients and staff can be safely evacuated from the building within three (3) minutes.

12.2 Foster care
12.2.1 Clients not capable of self-preservation
Facilities providing custodial care on a 24-hour basis for six (6) or more clients are classified as **I-2 Occupancies.** Facilities such as the above with five (5) or fewer clients are classified as **R-3 Occupancies.**

12.2.1 All clients capable of self-preservation
Where written documentation is provided certifying that all clients intended to be served are capable of responding to an emergency without assistance from staff, facilities providing custodial care on a 24-hour basis for between six (6) and eight (8) clients are classified as **R-4 Occupancies.** Facilities such as the above with five (5) or fewer clients are classified as **R-3 Occupancies.**
Egress Window Worksheet for Windows Installed Before April 11, 1983

1) Check Window Height and Width

- **DOUBLE HUNG**
  - Is the clear openable height, at least 24 inches?  
    - Yes [ ] No [ ]
  - Is the clear openable width, at least 20 inches?  
    - Yes [ ] No [ ]

- **SLIDING**
  - [Diagram]
  - [Formula: \( A = H \times W \)]
  - Is the clear openable area, at least 720 square inches?  
    - Yes [ ] No [ ]

- **CASEMENT**
  - [Diagram]
  - [Formula: \( A = H \times W \)]
  - [Formula: \( A = \text{distance from the floor to the finished sill} \)]
  - Is the distance, from the floor to the finished sill (bottom of opening), 48 inches or less?  
    - Yes [ ] No [ ]

If you answered yes to all questions then the window should comply with the 2003 Minnesota State Fire Code. For assistance: Minnesota State Fire Marshal Division (651) 215-0500; TTY: (651) 282-6555; firecode@state.mn.us
Egress Window Worksheet for Ground Floor Windows Installed On or After April 11, 1983

1) Check Window Height and Width

DOUBLE HUNG

SLIDING

CASEMENT

Is the clear openable height, at least 24 inches? 
Is the clear openable width, at least 20 inches?

Yes □ No □

Yes □ No □

Yes □ No □

2) Check Window Opening Area (fill in the three blanks)

H __________  X  W ________  =  A ________

Openable height (inches)  Openable width (inches)  Openable area (square inches)

Is the clear openable area, at least 720 square inches?

Yes □ No □

3) Check the distance from the floor to the bottom of opening

Is the distance, from the floor to the finished sill (bottom of opening) 44 inches or less?

Yes □ No □

If you answered yes to all questions then the window should comply with the 2003 Minnesota State Fire Code. For assistance: Minnesota State Fire Marshal Division (651) 215-0500; TTY: (651) 282-6555; firecode@state.mn.us
For Escape Windows Installed Above or Below Ground Level On or After April 11, 1983

1) Check Window Height and Width

- DOUBLE HUNG

- SLIDING

- CASEMENT

Is the clear openable height, at least 24 inches?

Is the clear openable width, at least 20 inches?

2) Check Window Opening Area (fill in the three blanks)

Openable height (inches) \times \text{Openable width (inches)} = \text{Openable area (square inches)}

Is the clear openable area, at least 820 square inches?

3) Check the distance from the floor to the bottom of opening

Is the distance, from the floor to the finished sill (bottom of opening) 44 inches or less?

If you answered yes to all questions then the window should comply with the 2003 Minnesota State Fire Code. For assistance: Minnesota State Fire Marshal Division (651) 215-0500; TTY: (651) 282-6555; firecode@state.mn.us
Window Well Worksheet When Installed Before June 29, 1998

1) Check Window Well Dimensions

- Is the clear horizontal distance, \( A \), at least 22 inches? [ ] Yes [ ] No
- Is the clear horizontal distance, \( B \), at least as wide as the window? [ ] Yes [ ] No
- Is the window well large enough to allow the window to be opened fully? [ ] Yes [ ] No

2) Check the vertical depth of the window well

If the distance, \( D \), from the bottom of the well to the top at grade is more than 44 inches, a ladder is required. If a ladder is required, is one provided? [ ] Yes [ ] No

If you answered yes to all questions then the window should comply with the 2003 Minnesota State Fire Code. For assistance: Minnesota State Fire Marshal Division (651) 215-0500; TTY: (651) 282-6555; firecode@state.mn.us
1) Check Window Well Dimensions

- Is the clear horizontal distance, at least 36 inches? Yes [ ] No [ ]
- Is the clear horizontal distance, at least 36 inches? Yes [ ] No [ ]
- Is the clear horizontal distance, with the window open at least 30 inches? Yes [ ] No [ ]

2) Check Window Well Opening Area (fill in the three blanks)

\[ \text{Horizontal distance (inches)} \times \text{Horizontal distance (inches)} = \text{Net horizontal opening (square inches)} \]

- Is the clear openable area, at least 1,080 square inches? Yes [ ] No [ ]

3) Check the vertical depth of the window well

- If the distance, from the bottom of the well to the top at grade is more than 44 inches, a ladder is required.
- If a ladder is required, is one provided? Yes [ ] No [ ]

If you answered yes to all questions then the window should comply with the 2003 Minnesota State Fire Code.
For assistance: Minnesota State Fire Marshal Division (651) 215-0500; TTY: (651) 282-6555; firecode@state.mn.us